

# **Town Board Minutes**

**Meeting  
No. 4**

***Regular Meeting***

**February 27, 1995**

MEETINGS TO DATE 4  
NO. OF REGULARS 4  
NO. OF SPECIALS 0

LANCASTER, NEW YORK  
FEBRUARY 27, 1995

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 27th day of February 1995 at 8:00 P.M. and there were

**PRESENT:** ROBERT H. GIZA, COUNCIL MEMBER  
DONALD E. KWAK, COUNCIL MEMBER  
PATRICK C. POKORSKI, COUNCIL MEMBER  
THOMAS H. VAN NORTWICK, COUNCIL MEMBER  
LUCIAN J. GRECO, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** ROBERT P. THILL, TOWN CLERK  
ROBERT H. LABENSKI, TOWN ENGINEER  
JOSEPH F. REINA, TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR  
JOHANNA M. COLEMAN, RECEIVER OF TAXES

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER POKORSKI, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town  
Board held on February 6, 1995 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

File: R.MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER POKORSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER VAN NORTWICK, TO WIT:

WHEREAS, during the week of Easter several members of the Town Board will be unable to attend the regular meeting of the Town Board scheduled for April 17, 1995,

NOW, THEREFORE, BE IT

RESOLVED, that so much of Rule 1 of the Rules of Order of the Town of Lancaster, as adopted by the Town Board on January 1, 1994, be amended to provide for replacement of the regular meeting originally scheduled to be held on April 17, 1995 with a meeting to be held on April 24, 1995, said replacement meeting to be held at the Lancaster Town Hall at 8:00 P.M. at the usual time and place for regular Town Board meetings.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

File: R.EASTER

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER VAN NORTWICK, TO WIT:

WHEREAS, Marilyn E. Marsh applied for a building permit to extend a single dwelling on premises known as 414 Harris Hill Road within the Town of Lancaster, and

WHEREAS, said application being Building Permit No. 2115 of the year 1994 was approved by Town Board resolution on September 6, 1994, and

WHEREAS, Marilyn E. Marsh, by letter dated February 8, 1995, has requested a refund of \$28.00 which represents the full amount of this building permit application fee,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to prepare a voucher and refund to Marilyn E. Marsh the sum of \$28.00 representing the total fee collected for Building Permit No. 2115 of 1995, and

BE IT FURTHER

RESOLVED, that Building Permit No. 2115 of the Town of Lancaster be and is hereby voided.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

File: R.BLDG (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GIZA, WHO MOVED  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, the Town Clerk of the Town of Lancaster, by letter dated February 13, 1995, has requested permission to attend the 13th Annual Conference of the New York State Town Clerks Association in Syracuse, New York from April 23rd through April 26th, 1995,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to attend the 13th Annual Conference of the New York State Town Clerks Association in Syracuse, New York from April 23rd to April 26th, 1995, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$456.00, plus mileage, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

File: R.SEM.MIGS (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
VAN NORTWICK, TO WIT:

WHEREAS, by memorandum dated February 9, 1995, the Supervisor has requested the transfer of funds within the 1995 General Fund Budget - Dog Control Office Budget to allocate funds to cover necessary repairs to the Dog Control Officer's truck,

NOW, THEREFORE, BE IT

RESOLVED, that the following transfers within the 1995 Adopted General Fund Budget - Dog Control Office Budget be and are hereby approved:

<u>FUND APPROPRIATIONS</u>	<u>INCREASE</u>	<u>DECREASE</u>
01.3510.426 Repairs and Maintenance	200.00	
01.3510.225 Trucks and Related Equip.		200.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

File: R.ACCT.TRANSFER (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
POKORSKI , TO WIT:

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to submit an application to the New York State Office of Parks, Recreation and Historic Preservation for financial assistance in accordance with the provision of the Environmental Protection Act of 1993, in the amount of \$12,500.00, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for the development of two community gardens.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER VAN NORTWICK, WHO  
MOVED ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK, TO WIT:

WHEREAS, Section 1660, Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled "VEHICLE & TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a Public Hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster County of Erie and State of New York will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of March, 1995, at 8:10 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and published in the Lancaster Community News and Depew Community News, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

LEGAL NOTICE  
PUBLIC HEARING  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK  
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 27th day of February, 1995, the said Town Board will hold a Public Hearing on the 20th day of March, 1995 at 8:10 o'clock, P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, and designated as Chapter 46 of the Code of said Town:

CHAPTER 46

STOP AND YIELD INTERSECTIONS.  
46-8, Stop Intersections designated, is hereby amended  
by adding thereto the following:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
<b>BELMONT CREEK SUBDIVISION</b>		
Belmont Avenue	Falcon Drive	N.W. corner
Belmont Avenue	Riemers Avenue	S.E. corner
Riemers Avenue	Central Avenue	S.W. corner
<b>BOWEN ROAD SQUARE SUBDIVISION</b>		
Butler Drive	Bowen Road	S.W. corner
Bentley Drive	Butler Drive	S.E. corner
Briggs Place	Bentley Drive	S.W. corner
<b>STREAM FIELD SUBDIVISION</b>		
Stream View Lane	Runningbrook Drive	S.W. corner
Stream View Lane	Stream View Lane	N.W. corner
Harewood Run	Stream View Lane	S.E. corner
<b>STONY BROOK SOUTH SUBDIVISION</b>		
Stonehedge Drive	Walden Avenue	N.W. corner
Hedge Lane	Stonehedge Drive	S.W. corner
<b>THRUWAY INDUSTRIAL PARK</b>		
Rotech Drive	Gunnville Road	N.E. corner

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
WALNUT CREEK SUBDIVISION		
Enchanted Forest N	Aurora Street	S.W. corner
Chapin Circle	Enchanted Forest N	S.E. corner
Thomas Drive	Enchanted Forest N	S.E. corner
Thomas Drive	Enchanted Forest N	N.W. corner
Harewood Run	Enchanted Forest N	N.W. corner
Thomas Drive	Southpoint Drive	N.W. corner
WINDSOR RIDGE SUBDIVISION		
Dorchester Court	Cambridge Court	S.E. corner
Overton Court	Cambridge Court	N.W. corner
Cambridge Court	Chestnut Corner	S.W. corner
Windcroft Lane	Chestnut Corner	N.E. corner
Chichester Court	Chestnut Corner	S.W. corner
Windsor Ridge Drive	Lake Avenue	N.E. corner

Full opportunity to be heard will be given to any and all citizens  
and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

February 27, 1995

R.Amd.V.T.46.8.Hrg.2.6

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
GIZA, TO WIT:

WHEREAS, RAM PRECISION TOOL has transmitted a site plan for the construction of an addition to an already existing structure on their premises located at 139 Gunville Road in the Town of Lancaster.

WHEREAS, the Town Board has caused a review of the aforementioned site plan, and

WHEREAS, the Town Engineer has reviewed said site plan for SEQOR purposes, and by memo dated December 8, 1994, has determined no further SEQOR action will be required;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by RAM PRECISION TOOL for the construction of an addition to an already existing structure on their premises located at 139 Gunville Road in the Town of Lancaster, New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK, TO WIT:

WHEREAS, by memorandum dated February 23, 1995, the Supervisor has requested the transfer of funds within the 1995 Part Town - Planning Department Fund Budget to allocate funds to cover an unexpected increase in annual Planning Association Dues.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfers within the 1995 Adopted Part Town Fund Budget be and are hereby approved:

<u>FUND APPROPRIATIONS</u>	<u>INCREASE</u>	<u>DECREASE</u>
02.8020.0408 Dues & Subscriptions	\$30.00	
02.8020.0419 Other Unclassified		\$30.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

File: R.ACCT.TRANSFER (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER POKORSKI, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER VAN NORTWICK , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,  
ADOPTED FEBRUARY 27, 1995, AUTHORIZING THE  
RECONSTRUCTION OF THE CLARK STREET BRIDGE, IN THE  
TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS  
\$175,000, APPROPRIATING SAID AMOUNT THEREFOR, AND  
AUTHORIZING THE ISSUANCE OF \$175,000 SERIAL BONDS  
OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY  
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not  
less than two-thirds of all the members of said Town Board) AS  
FOLLOWS:

Section 1. The Town of Lancaster, in the County of  
Erie, New York (herein called "Town"), is hereby authorized to  
reconstruct the Clark Street Bridge, located in the Village of  
Lancaster, in said Town. The estimated maximum cost of said  
specific object or purpose, including preliminary costs and costs  
incidental thereto and to the financing thereof is \$175,000 and  
said amount is hereby appropriated therefor. The plan of  
financing includes the issuance of \$175,000 serial bonds of the  
Town to finance said appropriation, and the levy and collection  
of taxes on all the taxable real property in the Town to pay the  
principal of said bonds and the interest thereon as the same  
shall become due and payable.

Section 2. Serial bonds of the Town in the principal  
amount of \$175,000 are hereby authorized to be issued pursuant to

the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$175,000 serial bonds are to be issued, within the limitations of Section 11.00 a. 10. of the Law, is twenty (20) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years from the date of original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity

as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes, and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.



Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in full, in the "LANCASTER BEE," a newspaper having a general circulation in the Town, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 733 to Claim No. 1012 Inclusive

Total amount hereby authorized to be paid: \$ 529,560.76

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

File: R.CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER VAN NORTWICK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing New 1995 Police Patrol Vehicles and a 1995 four-wheel drive vehicle in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were opened on December 15, 1994, and

WHEREAS, DeLACY FORD, INC., has submitted the lowest bid in conformance with specifications for five (5) 1995 Police Patrol Vehicles for a total amount of \$57,626, after trade-ins, and one (1) 1995 4-Wheel Drive Vehicle in the total amount of \$19,568.00 after trade-in, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the beforementioned vehicles, pursuant to specifications on file in the Town Clerk's Office;

NOW, THEREFORE, BE IT

RESOLVED,

1. That the bid of DeLacy Ford., Inc., 3061 Transit Road, Elma, New York 14059, for five (5) "Type A" 1995 Police Patrol Vehicles pursuant to Specifications on file in the Town Clerk's office, at a cost of \$17,746.00 per unit, less a trade-in allowance for the following police vehicles:

a.	One (1) 1993 Chevr 4DSD VIN 1G1BL53E2PW132696	\$ 6,336.00
b.	One (1) 1993 Chevr 4DSD VIN 1G1BL53E2PW132648	6,336.00
c.	One (1) 1994 Ford 4DSD VIN 2FALP71W6RX163650	9,216.00
d.	One (1) 1994 Ford 4DSD VIN 2FALP71W8RX163648	9,216.00
	Total Trade-in	\$ 31,104.00

for a total net bid, with trade, in the amount of \$57,626.00 be and the same is hereby accepted and that an order for such automobiles is hereby authorized to be placed by the Chief of Police, and

2. That the bid of DeLacy Ford, Inc., 3061 Transit Road, Elma, New York 14059, for One (1) New 1995 Police 4-Wheel Drive Vehicle, pursuant to specifications on file in the Town Clerk's Office, at a cost of \$23,384.00, less trade-in allowance of \$3,816.00 on one (1) 1992 Ford 4DSD VIN 2FACP72W9NX235031 for a total net bid with trade in the amount of \$19,568.00, be and the same is hereby accepted and that an order for such vehicle is hereby authorized to be placed by the Chief of Police.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY  
SUPERVISOR GRECO, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCIL MEMBER KWAK,  
TO WIT:

WHEREAS, the Town Board has discussed the possibility of construction of an aquatic and athletic center on land located at 4999 William Street, behind the Twin District Fire Company's facility, in the Town of Lancaster and

WHEREAS, such center could contain an enclosed pool, exercise center, saunas, day care rooms and other related facilities, and

WHEREAS, it is the intent of the Town Board that said center would be self-sufficient by the use of reasonable membership fees, and

WHEREAS, the Town's grant writer has prepared a grant application to be submitted to the State Office of Parks, Recreation and Historic Preservation requesting \$200,000 to support in part the design and construction of such a center, and

WHEREAS, the Town Board has determined that it would be in the best interests of the Town to see if the Town could qualify for such grant;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute, on behalf of the Town, an application to be submitted to the New York State Office of Parks, Recreation and Historic Preservation requesting a grant in the amount of \$200,000 to support in part the design and construction of an Aquatic and Athletic Center.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER VAN NORTWICK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK , TO WIT:

WHEREAS, the Chase Manhattan Bank, N.A. ("CHASE"), is a designated depository of part of the funds of the Town of Lancaster, and

WHEREAS, as a designated depository, CHASE has to agree to provide and pledge securities and collateral to secure the town's funds deposited with it, and

WHEREAS, CHASE has submitted a proposed contract entitled "Local Government Security and Custody Agreement", together with related documents, which sets forth CHASE's obligations to secure the funds of the Town deposited with it, and

WHEREAS, the Town Board determines that said Agreement and related documents should be made binding upon CHASE;

NOW, THEREFORE, BE IT  
RESOLVED, as follows:

1. The Supervisor and the Town Clerk, as the case may be, are hereby authorized to execute on behalf of the Town, the Local Government Security and Custody Agreement and related documents submitted by the Chase Manhattan Bank, N.A.

2. Upon execution by all parties thereto, ne original thereof shall be filed in the Town Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
POKORSKI , TO WIT:

WHEREAS, the Town of Lancaster's Parks and Recreation Director has requested the Town Board to approve the purchase of the following two pieces of equipment to aid in the construction of nature trails, hiking paths, cross-country ski trails and biking paths in Westwood Park:

1. A 545D 4-Wheel Drive Tractor Loader with factory installed cab, to be purchased from Niagara Ford New Holland, Inc., of Lockport, New York, for a purchase price of \$31,779.00.
2. A Wood/Chuck Model HY/Roller WC-17, disc type, gasoline engine powered wood and brush chipper with hydraulic surge brakes and heavy duty mounted trailer from Roberts Equipment of Tonawanda, New York, for a purchase price of \$14,071.00

and .

WHEREAS, the Parks and Recreation Director has advised the Town Board that each of the above referenced purchases has been taken from the New York State Equipment Contract Award Number 42900, and

WHEREAS, the Town Board has determined that said equipment is needed for the purposes intended;

NOW, THEREFORE, BE IT  
RESOLVED, as follows:

1. The Town's Parks and Recreation Director be and is hereby authorized to purchase the two pieces of equipment hereinabove set forth in the terms and conditions stated therein, and

2. Payment shall be made from Capital Account No. 113 (Westwood Park).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER KWAK, WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCIL  
 MEMBER GIZA TO WIT:

RESOLVED, that the following Building Permit Applications be  
 and are hereby approved and the issuance of these Building Permits be and are  
 hereby authorized:

## CODE:

(SW) = Sidewalks as required by Chapter 12-1B of the Code of the  
 Town of Lancaster are waived for this permit.

No	Code	Applicant	Street Address	Structure
2344		Glenridge Develop of 122 - 144 Olde Stone Ln Lanc		Er. Condos
2345		Matt Pericozzi	14 Stony Brook Dr	Ext. Sin. Dwlg
2346		Advantage Truck & Salvage	933 Ransom Rd	Er. Sign
2347		Renaissance Homes Inc	10 Overton Ct	Er. Sin. Dwlg
2348		Capretto Homes	10 Chapin Cir	Er. Sin. Dwlg
2349		Kevin Delzer	5826 Broadway	Er. Vestabule
2350	SW	Woodbridge Const	1372 Townline Rd	Er. Sin. Dwlg
2351		M J Peterson/Forbes Homes Inc	1 Cambridge Ct	Er. Sin. Dwlg
2352	SW	Edwin C Wesolowski	6221 Genesee St	Er. Sin. Dwlg
2353		Burt Lyons Jr	2747 Wehrle Dr	Dem. Sin. Dwlg
2354		SiHone Building Co Inc	13 Cambridge Ct	Er. Din. Dwlg
2355		Marrano/Marc Equity	44 Whitestone Ln	Er. Sin. Dwlg
2356		Marrano Marc Equity	18 Woodgate Dr	Er. Sin. Dwlg
2357		Essex Homes of WNY	29 Bentley Cir	Er. Sin. Dwlg
2358		Essex Homes of WNY	21 Willow Ridge Ct	Er. Sin. Dwlg
2359		Marrano/Marc Equity	28 Whitestone Ln	Er. Sin. Dwlg
2360	VOID			
2361		LPRC Unlimited Inc	338 Harris Hill Rd	Alter Office Bldg

and,

## BE IT FURTHER

RESOLVED, that the Building Permit applications herein coded  
 (SW) for sidewalk waiver be and are hereby approved with a waiver of the  
 provisions of Chapter 12-1B of the Code of the Town of Lancaster which requires  
 sidewalks in front of every new home.



The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

February 27, 1995

COMMUNICATIONSDISPOSITION

- |   |   |
|---|---|
| 63. Erie County Legislature to Town Clerk -<br>Exploring feasibility of establishing a county<br>based program to update assessment rolls.  | ASSESSOR  |
| 64. NYSDEC Division of Regulatory Affairs to Pine Hill<br>Concrete Mix Corp. -<br>Exemption from Mined Land Reclamation Law for<br>proposed golf course construction at Ransom-<br>Billo Site.    | BUILDING INSPECTOR<br>TOWN CLERK<br>TOWN ATTORNEY |
| 65. Amherst Town Clerk to Town Clerk -<br>Notice of proposed ordinance amendment 2/27/95.   | R & F   |
| 66. St. John Ev. Lutheran Church to Town Board -<br>Invitation to 100th Anniversary celebration<br>April 30, 1995.  | R & F   |
| 67. Erie County STOP - DWI Coordinator to Lois Palano -<br>Letter of appreciation for processing payments<br>to police agencies for Police Lifesaver<br>Program Grant.                            | R & F   |
| 68. Marilyn Marsh to Town Board -<br>Requests refund for Building Permit #2115<br>issued August 26, 1994.   | R & F   |
| 69. Police Chief to Town Board -<br>Request police vehicles bid award to DeLacy<br>Ford Inc. for police vehicles.   | R & F   |
| 70. M J Peterson to Town Clerk -<br>Comments re. Rene Fisher Special Use Permit.  | PLANNING COMMITTEE                                |
| 71. Jack Quinn to Supervisor -<br>Notification of awarded funding under the<br>Community Oriented Policing Service Fast<br>program estimated at \$75,000.   | PUBLIC SAFETY                                     |
| 72. Town Clerk to Town Board -<br>Requests authorization to attend NYSTCA in<br>Syracuse April 23-26, 1995.   | R & F   |
| 73. Donald Gallo, Consulting Engineer, to Supervisor -<br>Recommend plumbing construction bid award to<br>R.G. Rechin, Inc. for Psychiatric Center<br>Building Improvements.                      | PLANNING COMMITTEE                                |
| 74. U.S. Department of Justice to Supervisor -<br>Notification that Town has been selected to<br>receive COPS FAST grant award to hire a police<br>officer.                                       | PUBLIC SAFETY                                     |
| 75. Hamlet Development, Inc. to Town Board -<br>Opposition to Special Use Permit for Renee<br>Fisher for operation of beauty salon within<br>Windsor Ridge Subdivision, Phase II.                 | PLANNING COMMITTEE                                |
| 76. Donald Gallo, Consulting Engineer, to Supervisor -<br>Recommend general construction bid award to<br>Ingersoll Painting & Construction, Inc. for<br>Psychiatric Center Building Improvements. | PLANNING COMMITTEE                                |
| 77. Elizabeth/Todd Montazzoli to Town Board -<br>Opposition to Special Use Permit for Renee<br>Fisher for operation of beauty salon within<br>Windsor Ridge Subdivision, Phase II.                | PLANNING COMMITTEE                                |
| 78. BFI Waste Systems to Town Board -<br>Transmittal of check to be given to students<br>chosen as winners in Lancaster Schools Recycling<br>Recycling Contest.                                   | SOLID WASTE<br>COMMITTEE                          |

COMMUNICATIONSDISPOSITION

79. Walter/Joyce Zakowski, 160 Stony Rd. to Town Board - Opposition to proposed Tops Distribution Center.	<u>PLANNING COMMITTEE</u>
80. Planning Board to Town Board - Minutes from meeting held 2/15/95.	<u>R &amp; F</u>
81. Jacqueline M. Fatta, 5219 Genesee St. to Town Board - Concerns re: construction in Regents Park Subdivision.	<u>BUILDING INSPECTOR</u>
82. Kevin Lemaster to Town Board - Concerns and request for investigation of Cox property situate at 716 Schwartz Rd.	<u>R &amp; F</u>
83. Town Attorney to Kevin Lemaster - Reply to concerns re: Cox property situate at 716 Schwartz Rd.	<u>R &amp; F</u>
84. Planning Board to Town Board - Recommendation of denial of Theodore Kulbacki rezone petition for property situate at 18 Steinfeldt Rd.	<u>PLANNING COMMITTEE</u> <u>TOWN ATTORNEY</u> <u>TOWN CLERK</u>
85. Planning Board to Town Board - Recommendation of approval of Kulbacks Construction rezone petition for property situate on the south side of Como Park Blvd.	<u>PLANNING COMMITTEE</u> <u>TOWN CLERK</u> <u>TOWN ATTORNEY</u>
86. Donald G. Symer to Town Board - Concerns re: road layout and demographics as pertains to the Town's Master Plan.	<u>PLANNING COMMITTEE</u>
87. Dir. of Parks and Recreation to Supervisor - Update on nomination of Parks and Recreation Dept. for two State awards.	<u>R &amp; F</u>

PERSONS ADDRESSING TOWN BOARD:

Bielman, Jack, 19 Inwood Place, spoke to the Town Board on the following matter:

1. Enforcement of current regulations relative to connenction of property surface water drains to curb drains.

Montazzoli, Todd/Liz, 11 Overton Court, spoke to the Town Board on the following matter:

1. Expressed opposition to the granting of a Special Home Occupation Use Permit to Rene Fisher at 8 Overton Court.

Juszcak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

1. The reconstruction of the Clark Street bridge in the village of Lancaster by the Town highway department.

Gray, Dolores, 2 Grafton Court, spoke to the Town Board on the following matter:

1. The installation of sidewalks on the corner of Broadway and Grafton Court.

**Rubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matter:

1. Extending the discovery period on maintenance bonds for public improvement installations from two years to five years.

**Kolassa, Sy**, 118 Maple Drive, spoke to the Town Board on the following matter:

1. Use of the Lancaster Opera House for Town Board meetings when a crowd of people are anticipated to attend.

**Peterson, Gordon**, 5976 Genesee Street, spoke to the Town Board on the following matter:

1. Expressed favor for proposed location of TOPS Distribution Warehouse on Genesee Street within the Town of Lancaster.

**Thurnherr, Richard**, 131 Pavement Road, spoke to the Town Board on the following matter:

1. Asked the Town Board to approve a building permit for construction of a structure on his premises.

**Gaske, Colleen**, 27 Allen Street, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

**Kubiak, Andrew**, 5831 Genesee Street, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

**Cius, Donnette**, 495 Harris Hill Road, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

**Jankowiak, Mark**, 1318 Ransom Road, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

**Perot, Kathy**, 9 Stonybrook Road, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

**Morningstar, Al**, 5743 Genesee Street, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

Manley, Jack, 135 Stony Road, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

Baehre, David, 5755 Genesee Street, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

Zarbo, Richard, 357 Stony Road, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

Pericozzi, Beth, 14 Stonybrook Drive, spoke to the Town Board on the following matter:

1. Expressed opposition to the location of the proposed TOPS Distribution Warehouse on Genesee Street near Gunnville Road.

ADJOURNMENT:

ON MOTION OF SUPERVISOR GRECO, AND SECONDED BY THE ENTIRE TOWN BOARD  
AND CARRIED, the meeting was adjourned at 9:20 P.M. out of respect to:

AGNES D. THILL

Signed Robert P. Thill

Robert P. Thill, Town Clerk